

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – June 28, 2012
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 62*)

Members: Henry P. Szymanski (*voting on items 1 – 4, 6 - 62*)
Donald Jackson (*voting on items 1 -62*)
Martin E. Kohler (*voting on items 1 – 49, 51 - 62*)
Jose L. Dominguez (*voting on items 1 - 62*)

Alt. Board Members: Leni M. Siker (*voting on items 1 - 62*)

START TIME: 4:08 p.m

End Time: 7:35 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31599 Special Use	Yousef Alzalloum Property Owner Request to occupy a portion of the premises as a cash-for-gold business.	2103 W. North Av. A/K/A 2101 W. North Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31823 Use Variance	Katherine Huddleston Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	1122 W. Becher St. A/K/A 1136 A W. Becher St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically that wall signage not exceed 18 sq.ft. 5. That all repair work is conducted inside the building. 6. That all doors must be closed when power tools are in use. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	31852 Special Use	Lisa Doxtator Lessee	3857 S. Howell Av. 13th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	31850 Special Use	Jeffrey Steren D/B/A McDonald's Restaurant;Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant with a drive-through facility.	191 W. Layton Av. A/K/A 203 W. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	31860 Use Variance	Julie Zettel Property Owner	2771 S. Taylor Av. 14th Dist.
		Request to continue occupying a portion of the premises as a personal service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner receives a license from the city of Milwaukee to operate a massage establishment at this location</p> <p>5. That the petitioner retains registration with the State of Wisconsin as a massage therapist.</p> <p>6. That there be no signage associated with the personal service facility.</p> <p>7. That the applicant limits activities to the Home Occupation standards in 295-505-3-c.</p> <p>8. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	31664 Use Variance	Albert L Tatum, Sr. Property Owner Request to continue occupying the premises as a religious assembly hall. Action: Granted 10 yrs. Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	2754 N. 30th St. 15th Dist.
7	31832 Special Use	Seaway Bank Property Owner Request to continue occupying the premises as a bank with a drive-through facility. Action: Granted 10 yrs. Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson. Vote: -- Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	2102 W. Fond Du Lac Av. A/K/A 2118 W. Fond Du Lac Av. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	31835 Special Use	Dawn Boland Cecillia & Dale Boland Living Trust;Property Owner	1525 N. 13th St. A/K/A 1531 N. 13th St. 15th Dist.
		Request to continue occupying the premises as an indoor storage facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	31844 Special Use	Charles Mayweathers Property Owner Request to continue occupying the premises as a religious assembly hall.	1826 W. Center St. A/K/A 2706 N. 19th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the applicant develop the parking area in the rear of the building as shown of the site plan.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31862 Special Use	Darnita Griffin Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3933 W. Center St. A/K/A 3931 W. Center St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the petitioner receive a play space waiver from the Wisconsin Department of Children & Families to compensate for the shortage in on-site outdoor play area. 9. That a loading zone be obtained and maintained on West Center Street. 10. That all day care activities be restricted to the first floor. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	31872 Special Use	Serenity Inns, Inc. Property Owner Request to continue occupying the premises as a transitional living facility for 12 occupants.	2825 W. Brown St. A/K/A 2821 W. Brown St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	31840 Special Use	Milwaukee School of Engineering Chapter of Triangle, Inc.;Property Owner	1706 E. Irving Pl. 3rd Dist.
		Request to continue occupying the premises as a fraternity for 12 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	31856 Special Use	Guardian Angel Learning Center Inc. Sr. Marie Louise Balistrieri; Lessee Request to continue occupying the premises as a day care center for 85 children per shift infant to 5 years of age, operating Monday - Friday 6:45 a.m. - 5:30 p.m.	1524 N. Jefferson St. A/K/A 1540 N. Jefferson St. 3rd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	31819 Special Use	Schulhof Property Management, LLC Property Owner	547 N. 20th St. 4th Dist.
		Request to continue occupying the premises as a rooming house for 10 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	31824 Special Use	Michael J Moriarty Property Owner Request to continue occupying the premises as a rooming house for 8 occupants.	1621 W. Kilbourn Av. A/K/A 1621 W. Kilbourn Av. 2 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	31826 Special Use	Kilbourn Street Investors, LLC Property Owner Request to continue occupying the premises as a rooming house for 20 occupants.	1514 W. Kilbourn Av. A/K/A 1518 W. Kilbourn Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	31828 Special Use	Kilbourn Street Investors, LLC Property Owner Request to continue occupying the premises as a rooming house for 20 occupants.	1539 W. Kilbourn Av. A/K/A 1545 W. Kilbourn Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	31847 Dimensional Variance	O'Reilly Automotive Stores, Inc Property Owner Request to construct a general retail establishment that exceeds the maximum allowed front setback (allowed 70 ft. / proposed 85 ft.).	10110 W. Silver Spring Dr. 5th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the premises is landscaped in accordance with s295-405 of the Milwaukee Code of ordinances. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	31776 Special Use	Silver Spring Gas Inc. Property Owner Request to continue occupying the premises as a motor vehicle filling station.	11900 W. Silver Spring Dr. A/K/A 11910 W. Silver Spring Dr. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	31833 Dimensional Variance	Patrick V Hensel Property Owner Request to construct a detached garage in the front yard of the premises.	10745 W. Good Hope Rd. A/K/A 10801 W. Good Hope Rd. 5th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	31861 Special Use	Norma J Hoskins Lessee Request to continue occupying the premises as a day care center for 31 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	130 W. Keefe Av. A/K/A 3510 N. 2nd St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	31871 Special Use	Syronia Clark Property Owner Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday.	1900 W. Chambers St. A/K/A 1900 W. Chambers St. A 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the dwelling unit containing the family day care is continuously occupied as a residential unit by the applicant or the state day care license holder for the family day care. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	31727 Special Use	<p>Inspired Word Ministries Inc. Property Owner</p> <p>Request to continue occupying the premises as a religious assembly hall and a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. and Saturday 7:00 a.m. - 3:00 p.m.</p>	<p>3410 W. Burleigh St. A/K/A 3404 W. Burleigh St. 7th Dist.</p>
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
24	31831 Special Use/Dimesional Variance	<p>Immanuel House of Prayer, Inc. c/o Pastor, J.C. Battle;Property Owner</p> <p>Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 21 / proposed 4).</p>	<p>3917 W. Capitol Dr. 7th Dist.</p>
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the windows along the W. Capitol Dr. frontage remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	31870 Special Use	Milwaukee Materials, LLC Brian Bjodstrup, Agent; Lessee Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials.	3282 N. 35th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
26	31836 Special Use	James Mroczkowski Layton State Bank; Property Owner Request to construct a drive-through addition to the existing bank (the facility shall not be located within 150 ft. of a residential use).	2740 W. Forest Home Av. A/K/A 2430 S. 28th St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on June 12, 2012 is installed within 120 days of occupancy, and is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	31748 Special Use	<p>Chengyi Lee Property Owner</p> <p>Request to continue occupying the premises as a day care center for 32 children per shift infant to 12 years of age, operating Monday - Friday 5:00 a.m. to midnight.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>3327 W. National Av. A/K/A 3329 W. National Av. 8th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	31845 Use Variance /Special Use	Caldonia Properties 2045, LLC Prospective Buyer Request to occupy the premises as a general office facility and general retail establishment.	2045 W. St Paul Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>5. That the driveway be removed and restored to City of Milwaukee specifications if it is unused.</p> <p>6. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for general office and retail occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	31858 Special Use	Harry Kaufmann Motorcars Inc. Harry Kaufmann;Lessee Request to continue occupying a portion of the premises a motor vehicle sales facility.	5744 W. Good Hope Rd. A/K/A 5738 W. Good Hope Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That no sales vehicles are displayed in the public right-of-way. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	31821 Special Use	SNC Properties LLC Property Owner	8235 W. Blue Mound Rd. 10th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That no work or storage of vehicles occurs in the public right-of-way. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	31829 Special Use	<p>Snapper, LLC Lessee</p> <p>Request to occupy the premises as a fast-food / carry-out restaurant.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on May 30, 2012 is installed within 120 days of occupancy, and is maintained in a manner that meets the intent of city code. 7. That the unused driveway on West Lisbon Avenue either be reopened or removed and restored to City of Milwaukee specifications. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for restaurant occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>6016 W. Lisbon Av. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	31843 Special Use	Soka Gakkai International - USA Lessee Request to continue occupying a portion of the premises as a religious assembly hall.	319 N. 76th St. A/K/A 317 N. 76th St. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	31864 Special Use	Chiquilla Holloway Property Owner Request to continue occupying the premises as a day care center for 103 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	5219 W. Center St. A/K/A 5225 W. Center St. 2 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically that the proposed wall sign not exceed an area of 25 square feet per every 25 lineal feet of frontage.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</p> <p>9. That a loading zone be obtained and maintained on West Center Street.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31817 Special Use	Mr. Teddy J Kniprath Sr. Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility.	5130 W. Forest Home Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
35	31723 Appeal of an Order	Ziad Snobar Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a cash for gold facility.	905 S. Cesar E Chavez Dr. A/K/A 907 S. Cesar E Chavez Dr. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to overturn the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	ORDER HAS BEEN OVERTURNED	
36	31699 Special Use	Jorge Alvarez Property Owner Request to construct an addition to the existing building and occupy the premises as a motor vehicle sales facility .	4661 S. 20th St. A/K/A 4655 S. 20th St. 13th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	31720 Special Use	Priya Corporation Property Owner Request to continue occupying the premises as a motor vehicle filling station.	1235 W. Layton Av. A/K/A 1233 W. Layton Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	31811 Special Use	Jaswant Singh Property Owner Request to occupy the premises as a motor vehicle filling station. Action: Granted 3 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Syzmanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That the landscape and screening plan submitted to the Board of Zoning Appeals on May 21, 2012 is revised to meet the intent of city code section 295-405. The revised plan must also include an identifiable pedestrian walkway leading from the street to the front of the building. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 9. That landscaping and screening in accordance with an approved landscape plan is installed within 120 days of occupancy and is maintained in a manner that meets the intent of city code. 10. That a Department of Public Works permit be acquired for any work in the public right-of-way including, but not limited to, planting of trees, shrubs and other plant materials. 12. That the decorative metal fence must be installed on private property or that the applicant must apply for and obtain a Special Privilege to keep the fence, in whole or in part, in the public right-of-way. 13. That the applicant does not have outdoor storage or display of products or merchandise. 14. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 15. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	1313 W. Grange Av. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31761 Dimensional Variance	Sentry Security Systems, LLC Other Request to erect a fence that exceeds the maximum allowed height (allowed 9 ft. / proposed 12 ft.).	6102 S. 13th St. A/K/A 6104 S. 13th St. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	
40	31800 Dimensional Variance	Sentry Security Systems, LLC Cindy Gsell;Other Request to erect a fence that exceeds the maximum allowed height (allowed 9 ft. / proposed 12 ft.).	950 W. College Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	31846 Special Use	Guiffre IV LLC Property Owner	3804 S. 27th St. 13th Dist.
		Request to occupy the premises as an outdoor merchandise sales facility.	
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	31842 Special Use/ Dimensional Variance	<p>Milwaukee Center For Independence Property Owner</p> <p>Request to construct an addition to the existing building and to continue occupying the premises as a social service facility and adult day care without the code required landscaping.</p>	<p>3333 S. Howell Av. A/K/A 3345 S. Howell Av. 14th Dist.</p>
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff finalize the landscape and screening plan</p> <p>5. That landscaping and screening in accordance with an approved landscape plan installed within 120 days of occupancy, and maintained in a manner that meets the intent of City Code.</p> <p>6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials.</p> <p>7. That a Department of Public Works (DPW) permit is obtained to occupy any portion of public right-of-way to facilitate the proposed renovation projection, including, but not limited to, the facade renovations.</p> <p>8. That these Special Uses and this Variance are granted for a period of fifteen (15) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31854 Dimensional Variance	Jill Crowder Property Owner Request to construct a detached garage that exceeds the maximum allowed sidewall height (allowed 10 ft. / proposed 18 ft.) and the maximum allowed lot coverage for an accessory structure (allowed 580 sq.ft. / proposed 624 sq.ft.).	2746 S. Logan Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land.	
44	31766 Special Use	LaQuisha Hanna Lessee Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating 7:00 a.m. - 11:00 p.m. Monday - Sunday.	2806 W. Lisbon Av. A/K/A 2806 A W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the alderman and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	31827 Special Use	My Little Miracles L, P.E.U. Multiculture Center Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 10:00 p.m. to Monday - Friday 6:00 a.m. - 10:00 p.m. and Saturday 7:00 a.m. - 8:00 p.m. and continue occupying the premises as a day care center for 20 children per shift infant to 12 years of age.	1420 N. 33rd St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available. 24 hours a day 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 25, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	31795 Special Use	Peg DuBord TLS Behavioral Health;Lessee Request to occupy a portion of the premises as a community living arrangement for 12 occupants.	5409 W. Villard Av. A/K/A 5405 W. Villard Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the alderman and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	31848 Dimensional Variance/ Special Use	Giuseppe Vella Property Owner Request to construct an addition to the existing building that does not meet the required garage door location (required 4 ft. / proposed 0 ft.), minimum required sidewall height (required 18ft. / proposed 16ft. 9inches), minimum required glazing (required 60% / proposed 51%) ,and to occupy the premises as a light manufacturing facility (bakery).	1688 N. Humboldt Av. A/K/A 1688 A N. Humboldt Av. 3rd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility is made ADA accessible. 5. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, sidewalk removal and replacement; occupancy of the adjacent sidewalk for any reason; or excavation for building foundation. 6. That these Variances are granted to run with the land. 7. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	31855 Dimensional Variance	<p>Frederick Vogel IV Property Owner</p> <p>Request to construct an addition to the existing single-family dwelling that is without the minimum required side street setback (required 12 ft. / proposed 9 ft. 6 inches).</p> <p>Action: Granted</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	2405 E. Wyoming Pl. 3rd Dist.
49	31868 Special Use/ Dimensional Variance	<p>Hearst-Argyle Stations Inc. (W.I.S.N.) c/o Tony Coleman;Property Owner</p> <p>Request to construct an indoor storage facility that exceeds the maximum allowed side street setback, the maximum allowed front setback, does not meet the minimum required glazing at the front and side street facades, the minimum required setback for an overhead garage door that faces the street, the minimum required landscaping, and to erect a fence that exceeds the maximum allowed height.</p> <p>Action: Adjourned</p> <p>Motion: This item has been adjourned at the request of the alderman and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	1900 W. Wells St. A/K/A 1904 W. Wells St. RM 3 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31859 Dimensional Variance/ Special Use	Bradley S Schlossmann Lessee Request to erect a freestanding sign that exceeds the maximum number of signs allowed per site (allowed 1 / proposed 2) and to occupy the premises as a motor vehicle sales facility.	12011 W. Silver Spring Dr. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff to create a landscape and screening plan. The petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That landscaping in accordance with an approved landscape plan is implemented within 120 days of occupancy and maintained in a manner that meets the intent of city code.</p> <p>6. That no sales vehicles are displayed in the public right-of-way.</p> <p>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That within 60 days of Board approval the petitioner must meet with the Zoning Administration Group staff on final resolution of a sign plan. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval.</p> <p>10. That this Variance is granted to run with the land.</p> <p>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	31633 Special Use	Kimberly Spencer Lessee Request to occupy the premises as a religious assembly hall and a social service facility.	507 W. North Av. A/K/A 507 A W. North Av. 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	31747 Special Use/ Dimensional Variance	<p>Frank J Fix Lessee</p> <p>Request to occupy the premises as a parking lot that is without the minimum required landscaping (to be used in conjunction with the motor vehicle repair facility located at 631 E. Center St.).</p>	2678 N. Booth St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner must meet with the Zoning Administration Group to review landscaping issues within 60 days of Board approval of the Special Use. If the Zoning Administration Group determines that landscaping is feasible then the petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That no work or storage of vehicles occurs in the public right-of-way.</p> <p>6. That no sales vehicles are displayed in the public right-of-way.</p> <p>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That this Special Use and these Variances are granted for a period of time commencing with the date hereof, and expiring on May 22, 2022.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	31774 Special Use	James Hopson Lessee Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 24 hours and continue occupying the premises as a day care center for 21 children per shift 3 to 12 years of age, operating Monday - Friday.	323 E. Garfield Av. A/K/A 325 E. Garfield Av. 1 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
54	31793 Special Use	Outcast Motorcycle Club Anthony Ensley; Lessee Request to occupy a portion of the premises as an assembly hall.	3838 N. Holton St. A/K/A 3850 N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	31789 Dimensional Variance	True Faith Baptist Church Property Owner Request to occupy the premises as a permitted religious assembly hall that does not meet the minimum required number of parking spaces (required 21 / proposed 0).	3413 N. 35th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	31808 Use Variance	Donna Chambers Property Owner Request to occupy the premises as a transitional living facility for 8 occupants.	3044 A N. 25th St. A/K/A 3044 N. 25th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.</p> <p>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	
57	31743 Special Use/ Dimensional Variance	Brian Bohmann Property Owner Request to occupy the premises as a contractor's yard without the minimum required landscaping.	2932 W. Forest Home Av. A/K/A 2934 W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	31810 Special Use	Bentley Kienbaum Property Owner Request to add a motor vehicle sales facility to the existing Board approved outdoor salvage operation.	8550 N. Granville Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscaping in accordance with the landscape plan submitted to the Board on May 2, 2012 is implemented within 120 days of approval of the special use. 6. That landscaping is maintained in accordance with the plan submitted to the Board May 4, 2009. 7. That no sales vehicles are displayed in the public right-of-way. 8. That no work or storage of vehicles occurs in the public right-of-way. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	31841 Special Use	April Wilks Lessee Request to occupy a portion of the premises as an indoor recreation facility.	6817 W. Brown Deer Rd. A/K/A 6831 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	31853 Special Use	7505 West Bradley Road LLC Property Owner Request to occupy a portion of the premises as a day care center for 99 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 1:00 a.m.	7429 W. Bradley Rd. A/K/A 7431 W. Bradley Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
61	31735 Dimensional Variance	Walter L Jones Property Owner Request to allow a swimming pool, pool deck, and gazebo in the front yard of the premises.	5028 W. Manitoba St. 11th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	31779 Dimensional Variance	Michael Kosanke Property Owner Request to construct an attached garage that is without the minimum required front setback (required 25 ft. / proposed 14.7 ft.).	6000 W. Kinnickinnic River Pk. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	

Other Business:

Board member Martin Kohler moved to approve the minutes of the June 7, 2012 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for July 26, 2012.

Board member Henry Szymanski moved to adjourn the meeting at 7:35 p.m.. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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